

Stephen FURBER
Serial No. 10/509,086
January 29, 2009

REMARKS/ARGUMENTS

Applicant respectfully requests entry of the foregoing amendments prior to issuance of a patent in connection with this application.

The foregoing amendments to claims 1 and 2 are effected to correct obvious typographical errors in line 15 of claim 1 and line 4 of claim 2 as presented via the amendment filed June 9, 2008. The remaining amendments to claims 13 and 24 are merely editorial in nature inasmuch as the ending punctuation was either missing altogether (claim 13) or inappropriate (claim 24). No new matter is introduced by any of the above amendments.

Comments On Statement Of Reasons For Allowance

With respect to the Examiner's statement of reasons for allowance as set forth in the notice of allowability dated October 29, 2008, applicant agrees with the Examiner's statement that the claims are allowable because "none of the references of record alone or in combination disclose or suggest the combination of limitations specified in the independent claims." *See* Notice of Allowability at page 2. However, applicant disagrees with the Examiner's additional statements of reasons for allowance to the extent that they seek to improperly include limitations from certain embodiments of the specification that are not required in the allowed claims. *Id* at pages 2-4. Applicant further disagrees with the Examiner's statement – which is contrary to the patent law – that "applicant's claimed invention is substantially broad when considered alone, but is extremely narrow when the limitations found in the disclosure are considered." *Id* at page 4. The limitations in the claims determine the scope of applicant's patent claims and not the limitations found in the disclosure but not recited in the claims. Finally, the


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Examiner's purported attempt to limit "comparing" in the claims to only the disclosure at paragraph [0051] is improper under 35 U.S.C. §112 and/or the Doctrine of Equivalents in that applicant is also entitled to any equivalents of the cited disclosure. *Id.*

Entry of the foregoing amendments and prompt issuance of this application are earnestly solicited.

Respectfully submitted,

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